IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.174 OF 2007
IN
INCOME TAX APPEAL (L) NO.2778 OF 2006

The Commissioner of Income Tax-2. ..Appellant.
Vs.
M/s. Surekha Holdings Pvt. Ltd. ..Respondent.

Mr.P.S.Sahadevan for the Appellant.

Mr.V.B. Patel for the Respondent.

CORAM : F.I. REBELLO & R.S. MOHITE, JJ.
DATED : 3RD DECEMBER,2007.

PC :

1. This is a Notice of motion for condoning 645 days delay in preferring the aforesaid income tax appeal. It is seen that after obtaining approval for filing the appeal which was granted on 25.1.2005, the file was sent to the Advocate for drafting the appeal memo. The draft was received from the Advocate on 27.10.2006. The delay caused during the period from 25.1.2005 to 27.10.2006 is not properly explained. In our opinion, the cause shown is not sufficient cause. Hence, Notice of motion is dismissed.

(R.S. MOHITE, J.) **(F.I. REBELLO, J.)**

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PC :

1. As the Notice of motion for condonation of

delay has been dismissed, appeal also stands dismissed.

Refund of court fee as per rules. Certified copy

(R.S. MOHITE, J.) **(F.I. REBELLO, J.)**